

REMARKS

Reconsideration of this application is respectfully requested. Claims 1-23 are pending in this application. Claims 1-23 stand rejected.

Claim Rejections – 35 U.S.C. §102

Claims 1-9, 12-13, 16-17, 19-21 and 23 are rejected under 35 U.S.C. §102(e) as being anticipated by **Choi et al.** (US Patent Publication 2004/0077373).

It is respectfully submitted that the rejection under §102(e) is improper because **Choi et al.** is not prior art with respect to the present application.

Specifically, the effective prior art date of the **Choi et al.** reference under §102(e) is its filing date, September 30, 2003. However, the filing date of the present application is the international filing date of the international application, that is, September 26, 2003. Accordingly, **Choi et al.** is not an effective reference under §102(e) because the filing date of the present application antedates the effective §102(e) date of **Choi et al.**

Further, **Choi et al.** is not an effective reference under any other section of §102.

It is also noted that the present application claims priority of Japanese application 2002-287076 filed September 30, 2002; Japanese application 2003-066367 filed March 12, 2003; Japanese application 2003-090717 filed March 28, 2003; and Japanese application 2003-180190 filed June 24, 2003. Therefore, applicants could rely on these dates, if necessary, to remove a reference as an effective prior art reference. However, because the §102(e) date of **Choi et al.** is

after the filing date of the present application, applicants do not have to rely on the foreign priority date(s) at this time.

Accordingly, withdrawal of the rejection under §102 is respectfully requested.

Claim Rejections – 35 U.S.C. §103

Claims 10 and 11 are rejected under 35 U.S.C. §103(a) as being unpatentable over **Choi et al.** (US Patent Publication 2004/0077373) as applied to claim 7 above, and further in view of **Bick** (US Patent Publication 2002/0049070). Claims 14 and 15 are rejected under 35 U.S.C. §103(a) as being unpatentable **Choi et al.** and further in view of **Bick**. Claim 18 is rejected under 35 U.S.C. §103(a) as being unpatentable **Choi et al.** as applied to claim 16 above, and further in view of **Bick**. Claim 22 is rejected under 35 U.S.C. §103(a) as being unpatentable **Choi et al.** as applied to claim 20 above, and further in view of **Bick**.

Each of the rejections under §103 combines **Choi et al.** with **Bick**. Although **Bick** is prior art with respect to the present application, as discussed above, **Choi et al.** is not effective prior art. Accordingly, the rejections under §103 are improper for the same reason set forth above.

CONCLUSION

In view of the foregoing remarks, it is submitted that all pending claims are in condition for allowance. A prompt and favorable reconsideration of the rejection and an indication of allowability of all pending claims are earnestly solicited.

Application No. 10/529,399
Art Unit: 2618

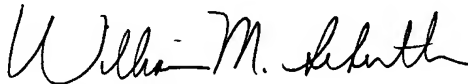
Response under 37 C.F.R. §1.111
Attorney Docket No.: 052279

If the Examiner believes that there are issues remaining to be resolved in this application, the Examiner is invited to contact the undersigned attorney at the telephone number indicated below to arrange for an interview to expedite and complete prosecution of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

A handwritten signature in black ink, appearing to read "William M. Schertler". The signature is fluid and cursive, with the first name "William" and last name "Schertler" being clearly legible.

William M. Schertler
Attorney for Applicants
Registration No. 35,348
Telephone: (202) 822-1100
Facsimile: (202) 822-1111

WMS/dlt